

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STEVEN VOLSTAD,

Plaintiff,

v.

DEAN MASON,

Defendant.

Case No. C06-5005RBL

ORDER ADOPTING
REPORT AND
RECOMMENDATION

The Court, having reviewed Plaintiffs' complaint, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) This action is **DISMISSED WITHOUT PREJUDICE** prior to service on plaintiff's motion for non suit.
- (3) Clerk is directed to send copies of this Order to plaintiff, and to the Hon. J. Kelley Arnold.

DATED this 19th day of April, 2006.



RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE